

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<b>JORGE RIVERA-GUADALUPE,</b>	:	<b>Civil No. 1:19-CV-1400</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>JACOB PIERCE, et al.</b>	:	
	:	
<b>Defendants.</b>	:	<b>Judge Sylvia H. Rambo</b>

**ORDER**

Before the court are two motions to dismiss Plaintiff's amended complaint under Rule 12(b)(6), one filed by Defendants City of Harrisburg and Detective Jacob Pierce ("Defendant Pierce") (Doc. 38), and another filed by Defendants Dauphin County and Michael Sprow, Esquire ("Defendant Sprow") (Doc. 43). For the reasons outlined in the accompanying memorandum:

- (1) The motion filed by Defendants City of Harrisburg and Pierce is hereby **DENIED;**
- (2) The motion filed by Defendants Dauphin County and Sprow is hereby **GRANTED;**
- (3) All claims against Defendants City of Harrisburg, Dauphin County, Sprow in his individual capacity, Sprow in his official capacity, and Defendant Pierce in his official capacity are hereby **DISMISSED WITH PREJUDICE;**

(4) Plaintiff is hereby **ORDERED** to amend his complaint for the sole function of explicitly clarifying whether he is admitting to being a felon in possession of a firearm, denying being a felon in possession of a firearm, or taking no position on the matter whatsoever, **WITHIN TWENTY-ONE DAYS ENTRY OF THIS ORDER;**

(5) All other requested relief is hereby **DENIED**.

/s/ Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: January 20, 2021